

**REMARKS**

Reconsideration of the application in light of the above amendments and the following remarks is respectfully requested.

Claims 15, 16, 21, 22 and 27-89 are pending. Claims 15, 21 and 89 have been amended.  
No new matter is added.

The Specification has been amended to provide a title more descriptive of the claimed invention. No new matter is added.

**Rejection Under 35 U.S.C. § 102**

Claims 15, 16, 21, 22, 27-89 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,076,443 to Emens et al. (“Emens”). The Examiner rejects claims 32 and 36 as being anticipated by Emens. However, the Examiner also rejects claims 32 and 36 as being unpatentable over Emens in view of the Examiner’s statement of what was known in the art. Accordingly, applicants treat claims 32 and 36 as being rejected under 35 U.S.C. § 103(a).

Emens is directed to associating related advertisements to individual search result items of a search result set. Emens discloses that its “philosophy relies on the principle that users who are performing a search query have a special interest in finding a particular piece of information.” (Emens, column 5, lines 11-13.) In particular, the Emens invention is beneficial for “all web site owners who provide search engine service.” (Emens, column 2. lines 1-2.) According to Emens,

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search result items uncovered by a search engine performing an Internet search are associated with similar or related advertisements. The search engine performs the search based on a query submitted by an Internet user. The search engine also performs a subsequent search for related product advertisements after uncovering the search result items. (Emens, Abstract.)

The Emens reference states that a user enters a query into a search engine, which returns a “specific result set” made up of search result items that may contain the sought after information. For each search result item, a subsequent search in the search engine’s advertisement database is performed using the search result item as the basis for this second search. (Emens, column 4, line 62, bridging column 5, line 6.) A product database 110 provides storage for a list of potentially matching product advertisements. A user/session manager subsystem 120 maintains and tracks user sessions, user queries, and product advertising requests.

When a user initially submits a query, a normal Internet search 90 is performed. The query is forwarded to the user/session manager subsystem 120 which then forwards it on to search engine 130. The search engine 130 performs an Internet search and produces a search results set. The search results set is then forwarded 97 to the product matching manager 140.

(Emens, column 6, lines 13-34; Fig. 3.)

The product matching manager 140 flags a search result item which matches an advertisement. The flag is used by a request server 160 (a/k/a results presentation manager) to display a GUI designator, e.g., a simple product icon. (Emens, column 6, lines 35-54.)

Thus, Emens interposes intervening entities (user/session manager 120 and search engine 130) in the path between the user's browser 100 and the Internet; and interposes other intervening entities (search engine 130, product matching manager 140, and request server 160) in the path between the Internet and the user's browser 100.

The claimed invention could be styled a "pull and drag" system. That is, the user connects to a distributed computer network (e.g., the Internet) seeking content by submission of a URL. This content is pulled to his work station by the browser. The content being sought is not "a search query hav[ing] a special interest in [] a particular piece of information," as disclosed in Emens. A user of the claimed invention is seeking content in the form of news articles, or other web pages with full knowledge of their web location — i.e., their URL. The act of pulling certain content is implemented with the claimed invention by submission of the known URL with the effect of dragging an advertisement, which is relevant to the pulled content at the URL, to the work station for display with the content. As is understood by persons of ordinary skill in the art, a user submits a URL by typing an entry into the URL location box of the user's browser, or by activating a link which places a new URL into the location box, or by entry of a URL in a location-dialog box.

The triggering event in Emens' system is a user submission of a search query. Thus in the Emen's system the user does not know the desired URL. Also, the ad is distributed in Emens based on the search result, not the content retrieved from the URL. Under the claimed invention, the user browses directly to a web page — including non-search engine web pages. Emens' system utilizes intervening entities to communicate with the Internet.



browser 100 to display the selected search result item with its corresponding products.” (Emens, column 7, lines 29-42.) Thus, Emens does not disclose, nor suggest, displaying an advertisement along with the user specified content.

Claims 16, 27-31, 32-35, 37-39 depend from claim 15. Claims 22, 40-88 depend from claim 21. Applicants submit that claims 16, 22, 27-31, 32-35 and 37-88 are patentable over Emens for at least the same reasons as their respective base claims.

Reconsideration and withdrawal is requested.

### **Rejection Under 35 U.S.C. § 103**

Claims 32 and 36 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Emens in view of the Examiner’s statement of what was known in the art at the time of the invention (Detailed Action, page 3, item 5.) Applicants respectfully traverse this rejection.

The Examiner contends that Emens discloses most of the features of claims 32 and 36. However, the Examiner acknowledges that Emens does not disclose that performance is measured by a change in revenues or click-through rates (claim 32), nor that content is classified by past consumption by users as a consequence of ads that were received and responded to by them (claim 36). The Examiner states that these approaches are “old and well known in the computer related arts,” and that it would have been obvious for a person of ordinary skill in the art to have combined



### CONCLUSION

Each and every point raised in the Office Action dated July 24, 2006 has been addressed on the basis of the above amendments and remarks. In view of the foregoing it is believed that Claims 15, 16, 21, 22 and 27-89 are in condition for allowance and it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

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Respectfully submitted,

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